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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92013503
Party	Defendant National Black United Fund, Inc.
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Submission	Other Motions/Papers
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Date	02/19/2010
Attachments	Response-To-1-20-10-communication.pdf ( 2 pages )(20750 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Cancellation No. 92013503**

**UNITED BLACK FUND**

**v.**

**NATIONAL BLACK UNITED FUND, INC.**

Mail Stop: Trademark Trial and Appeal Board  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: Jennifer Krisp, Interlocutory Attorney:

In reply to the January 20, 2010 Board Order, regarding the above-identified cancellation, the parties request a 60-day extension of time to memorialize understandings reached since the "administrative closing" of the above-identified controversy in the District Court for the District of Maryland.

With respect to the "administrative closing," this "closing" occurred during a meeting with the parties' attorneys in the chambers of Judge John Hargrove (deceased) on June 8, 1984 (Exhibit A) during which Judge Hargrove announced that the case was "administratively closed" and that he was obtaining all files from the clerk's office and would lock the files in his closet. A search so far of our files revealed no further communication from Judge Hargrove regarding this case. This administrative closing, a concept unfamiliar to the undersigned attorneys and other attorneys with whom they have consulted, has given the parties sufficient time to settle their grievances and to develop a spirit of cooperation, as well as actual cooperation. Thus the undersigned will take steps to have the Baltimore case formally discussed, if unknown to the undersigned, this has not already occurred.

The parties have met face to face and by phone on many occasions and have discussed understandings that have removed all points of contention regarding use of their respective marks,

including how and where the marks will be displayed, the channels of trade in which each mark will be utilized and the services covered by the marks. Direct contact between the undersigned attorneys representing the parties have been ongoing over the years.

The most recent discussions by the attorneys regarding memorializing the understandings occurred on February 15, 17, 18 and 19, 2010.

The parties will take steps to formally terminate proceeding in the District Court for the District of Maryland if these proceedings actually remain open.

In the time allotted for this response, the parties have not been able to access all of their records in that a substantial portion of the records are in storage.

For the foregoing reasons, it is respectfully requested that this request for a 60-day extension of time be granted.

Respectfully submitted,  
/John R. Moses/

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/Barry Lenoir/

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Date: February 19, 2010